

**SPECIAL MEETING OF THE BOARD OF MANAGERS
OF SPECIAL IMPROVEMENT DISTRICT #3
OF THE RIO GRANDE WATER CONSERVATION DISTRICT
November 19, 2021 at 8:00 a.m.
8805 Independence Way, Alamosa CO 81101
And By Zoom/Teleconference**

Present: LeRoy Salazar, President; Nathan Coombs, Vice-President/Secretary/Treasurer; Warren Crowther, Manager; Sam Vance, Manager; Ruben Sandoval, Manager; Doug Bagwell, Manager; and Dwight Martin, Ex-Officio Member.

Staff and Consultants: Pete Ampe, Hill & Robbins, P.C; Amber Pacheco, Program Manager; Wylie Keller, Water Resource Specialist; Rose Vanderpool, Program Assistant; Linda Ramirez, Program Assistant; April Mondragon, Administrative Assistant; and, Michael Carson, Database Administrator.

Guests: David Hofmann, DWR.

Meeting Called to Order

President Salazar called the meeting to order at 8:05 a.m. A quorum was present. The Pledge of Allegiance was recited. President Salazar led the opening prayer.

Approval of the Agenda

President Salazar asked for approval of the agenda. A motion was made by Nathan Coombs to approve the agenda as presented. The motion was seconded by Warren Crowther and unanimously approved.

Public Comment

President Salazar asked for public comment. There was none.

Discussion Regarding 2021 Administrative and Groundwater Withdrawal Fee Assessments

President Salazar asked for discussion regarding the 2021 Administrative and Groundwater Withdrawal Fee assessments. Amber Pacheco reported the purpose of the meeting was to discuss and possibly approve the 2021 assessments for the purpose of funding the 2022 budget. Ms. Pacheco reported on the process of reviewing all wells and meter readings which are then used to calculate the fees. She highlighted it was necessary to increase the fees from the preliminary scenario presented to the Board in September in order to fully cover the 2022 budgeted amounts. Ms. Pacheco provided the per well Administrative Fee, the per acre-foot amount for the Sustainability portion of the Groundwater Withdrawal Fee, and the per acre-foot amount for the stream impact portion of the Groundwater Withdrawal Fee which is based on the well use being classified as either a sprinkler, flood or other rate.

Resolution to approve 2021 Administrative and Groundwater Withdrawal Fee Assessments

President Salazar asked Ms. Pacheco to highlight the information and language in the proposed resolution. Ms. Pacheco provided the information and reported she would prepare the certification and forward it to the Conejos County Treasurer and Assessor to place on the 2021 tax notices which go out to property owners in January 2022.

A motion was made by Nathan Coombs to approve the Resolution to Assess Fees for Special Improvement District No. 3 of the Rio Grande Water Conservation District as presented. The motion was seconded by Ruben Sandoval and unanimously approved.

Nathan Coombs voiced his concern regarding the spending of Subdistrict money for title searches show ownership for a seller. Mr. Coombs requested the records to reflect that he does not think the Subdistrict should spend a lot of their money proving the seller owns the water rights while spending additional money on expensive water rights themselves.. He said he thinks if sellers want top dollar, they need to show they have ownership of what it is they are selling. Dwight Martin agreed.

President Salazar highlighted the work that has been completed and what has been committed to. He also highlighted the upcoming meetings and stated additional discussions need to be held on the other party bearing their share of the costs.

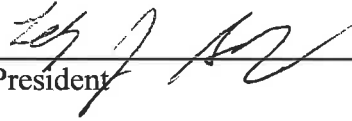
Next Meeting

The next quarterly meeting was scheduled for December 2, 2021, at 8:00 a.m.

Adjournment

A motion was made by Nathan Coombs to adjourn the meeting. The motion was seconded by Ruben Sandoval and unanimously approved.

The meeting was adjourned at 8:23 a.m.



President



Vice-President/Secretary/Treasurer

RESOLUTION TO ASSESS FEES FOR SPECIAL IMPROVEMENT DISTRICT NO. 3 OF THE RIO GRANDE WATER CONSERVATION DISTRICT

A RESOLUTION ASSESSING FEES FOR THE BUDGET YEAR 2022 TO (1) FUND THE ADMINISTRATIVE COSTS OF SPECIAL IMPROVEMENT DISTRICT NO. 3 OF THE RIO GRANDE WATER CONSERVATION DISTRICT'S WATER ACTIVITY ENTERPRISE (SUBDISTRICT NO. 3); (2) TO FUND THE COSTS OF REMEDYING INJURIOUS DEPLETIONS AS REQUIRED BY THE PLAN OF WATER MANAGEMENT; AND, (3) TO FUND THE COSTS OF RECOVERING THE AQUIFER AS REQUIRED BY THE PLAN OF WATER MANAGEMENT FOR SUBDISTRICT NO. 3 FOR THE 2022 BUDGET YEAR.

WHEREAS, the amount of money necessary to balance the budget for Subdistrict No. 3 administrative expenses is \$74,000.17; and

WHEREAS, the amount of money necessary to fund the replacement of injurious depletions is \$475,414.81.

WHEREAS, the amount of money necessary to fund aquifer recovery is \$152,996.24.

NOW THEREFORE, BE IT RESOLVED BY THE Board of Managers of Subdistrict No. 3, Colorado:

- Section 1: That for the purpose of meeting all administrative expenses of the Special Improvement District No. 3 during the 2021 budget year there is hereby assessed a fee of \$500.00 per active Subdistrict Well and \$250.00 per inactive Subdistrict Well as defined by the Plan of Water Management for Subdistrict No. 3 for the year 2021.
- Section 2: That for the purpose of funding the remedy of injurious depletions of Subdistrict No. 3 there is hereby assessed a fee of \$21.45 per acre-foot under sprinkler application, \$15.65 per acre-foot under flood application and between \$0.08 and \$25.45 per acre-foot for wells under an "other" application based on a five-year average of groundwater withdrawals during the period 2016-2020 as defined by the Plan of Water Management for Subdistrict No. 3.
- Section 3: That for the purpose of funding the recovery of the aquifer there is hereby assessed a fee of \$5.75 per acre-foot of groundwater withdrawn through a Subdistrict Well based on a five-year average of groundwater withdrawals during the period 2016-2020.
- Section 4: That the General Manager is hereby authorized and directed to immediately certify to the County Commissioners of Conejos County, Colorado, the assessments above determined and set.

ADOPTED, this 19th day of November, 2021.


President

Attest: 
Secretary/Treasurer